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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:  
Date: September 20, 2005 Name: Gregory H. Zavila Reg. No. 48,059 Signature: *Gregory Zavila*

BRINKS  
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GILSON  
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Peter F. Whittington

Appln. No.: 10/809,741

Filed: March 24, 2004

For: Delivery Devices and Methods of Delivering  
Liquids and Nutrition to Patients

Examiner: To be assigned

Art Unit: 3763

Attorney Docket No: 11761/11

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

☒ Transmittal (in duplicate); Supplemental Information Disclosure Statement; Form PTO-1449; Copies of Three (3) Cited References (A2-A4)

☒ Return Receipt Postcard

Fee calculation:

☒ No additional fee is required.

☒ Small Entity.

☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).

☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_).

☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

Fee payment:

☐ A check in the amount of \$\_\_\_\_\_ is enclosed.

☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.

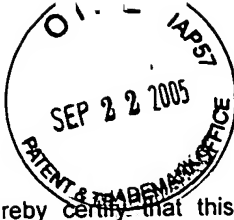
☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).

☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

*September 20, 2005*  
Date

*Gregory Zavila*  
Gregory H. Zavila (Reg. No. 48,059)



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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
on September 20, 2005

Date of Deposit

Gregory H. Zayia - Reg. No. 48,059

Name of applicant, assignee or  
Registered Representative

*Gregory Zayia*

Signature

*September 20, 2005*

Date of Signature

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### SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 CFR §1.56 and §§1.97-1.98, and more particularly in accordance with 37 CFR §1.97(b), Applicant hereby cites the references A1-A4 listed on the attached Form PTO-1449 (one sheet).

Applicant is enclosing Form PTO-1449, along with a copy of each listed reference for which a copy is required under 37 CFR §1.98(a)(2). As each of the listed references is in English, no further commentary is believed to be necessary pursuant to 37 CFR §1.98(a)(3). Applicant respectfully requests the Examiner's consideration of the listed references A1-A4 and entry thereof into the record of this application.

By submitting this Statement, Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 CFR §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 CFR §1.56(a).

Applicant has calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

Respectfully submitted,

September 20, 2005  
Date

  
\_\_\_\_\_  
Gregory H. Zavala (Reg. No. 48,059)



FORM PTO-1449	SERIAL NO. 10/809,741	CASE NO. 11761/11
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE March 24, 2004	GROUP ART UNIT 3763
(use several sheets if necessary)		APPLICANT(S): Peter F. Whittington

## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A1	4,279,251	07/21/1981	Rüsch		

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	A2	WO 00/53146	09/14/2000	PCT		No
	A3	EP 0 218 203 A1	04/15/1987	Europe		No

## OTHER ART – NON PATENT LITERATURE DOCUMENTS

EXAMINER INITIAL		(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.
	A4	Copy of International Search Report for International Application No. PCT/US2005/009135 Mailed June 23, 2005

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.